

# **TEXAS JUVENILE PROBATION COMMISSION BOARD MEETING**

**November 20, 2009  
Brown-Heatly Building  
Austin, Texas**

## **COMMISSIONERS PRESENT**

Ray West, Chair  
Jean Boyd  
Will Conley  
Scott O'Grady  
Migdalia Lopez  
Bob Shults

## **COMMISSIONERS ABSENT**

Billy Wayne McClendon  
Rene Ordoñez  
Lea Wright

## **TJPC MANAGEMENT STAFF PRESENT**

Vicki Spriggs, Executive Director  
Lisa Capers, Deputy Executive Director and General Counsel  
Kristy Almager, Staff Services Manager  
Nancy Arrigona, Director Research and Statistics  
Linda Brooke, Director External Affairs, Policy Development, Behavioral Health  
Scott Friedman, Director Field Services  
Jim Southwell, Director Management Information Systems

## **TJPC STAFF PRESENT**

Kati Branch  
Linda Brown  
Charlotte Caples  
Erin Espinosa  
Pam Gereau  
Doug Halstead  
Chris Hubner  
Diane Laffoon  
Patrick McReynolds  
Courtney Norris  
Ameli Pena  
Monica Peters  
Katrena Plummer  
John Posey  
Nita Reddy  
Brandon Rust  
Michael Suda  
Vonzo Tolbert  
Anthony Welebob

**1. Call to Order – R. West**

Commissioner Ray West called the board meeting of the Texas Juvenile Probation Commission to order at 9:20 a.m.

**2. Excuse Absences – R. West**

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Shults to excuse the absence of Commissioners McClendon, Ordoñez and Wright noting that Commissioner Conley would be late. Motion passed unanimously.

**3. Approval of Minutes from August 28, 2009 Board Meeting – R. West**

A **motion** was made by Commissioner Shults and **seconded** by Commissioner O'Grady to approve the minutes as amended. Motion passed unanimously.

**4. Discussion and Possible Approval of the Annual Internal Audit Report for Fiscal Year 2009 – R. Gonzalez**

Representing Garza, Gonzalez and Associates was Rene Gonzalez. Management concurs with all of the recommendations in this report. The Abuse, Neglect and Exploitation Unit and the Special Needs Diversionary Program were looked at. There are five observations depicted in each area.

Also included in the report is anything that was not fully implemented in prior years, and there are nine of those. Five have been fully implemented as of this fiscal year, two are still on-going and two are substantially implemented.

This report and the format were established by the State Auditor's Office (SAO) where it meets those requirements. The legislature charged that the SAO make sure that every agency includes in their website a way or method to be able to report fraud, waste or abuse and be reported directly to the SAO. This has been set up with the Commission and meets the requirements of the SAO.

All of the testing for this report was done by Garza, Gonzalez and Associates, and there was full cooperation from the Commission staff without restriction in any form or fashion as to what and when documentation was looked at.

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Lopez to approve the Annual Internal Audit Report for FY 2009. Motion passed unanimously.

**5. Update on Fiscal Year 2010 Budget and Expenditures – L. Brown**

In the Administration category the year to date expenditures should be at 8.33%. All of the line items in that category are within budget except one. The 'Other Expenditures' category is at 14.69% because the initial payment was made to the State Offices of Risk Management (SORM) at the beginning of the year.

All other expenditures have been tracked accordingly and are within budget.

No action was required for this item.

**6. Review of Title IV-E Funding by County – P. Gereau**

In 2007 a pilot review was done by the federal agency that audits the IV-E funds, the Administration for Children and Families (ACF) and based on that the Commission made substantial changes to the program. The hand-out shows the figures for the last claims that were processed prior to the pilot review as well as the amount of funding anticipated based on the claims that have come in so far. For almost every county there is approximately a 95% decrease in the amount of funding. Many counties have opted out of the program because the amount of work has not been worth the cost to do the program.

No action was required for this item.

**7. Update, Discussion and Possible Action Regarding Grant C Funding Adjustments – V. Spriggs**

*Note: Commissioner Conley is present at this time. Chairman West introduced the newest members of the board, Commissioner Will Conley and Judge Migdalia Lopez.*

The total amount approved of Grant C funding was \$19.1 million. The total amount approved as of yesterday was \$15.4 million. The total amount set aside for mental health services is \$1.3 and the overall funding left unexpended and unclaimed at this point in time is \$2.2 million. The \$2.2 million comes to approximately 30 additional diversions.

The primary reason counties declined the funds was they felt like they were already diverting the kids that could be diverted and committing those youth that they felt needed to be committed. One board chairman's comment when they declined their funding was that the state gives nothing without a hook and they didn't want their neck in the noose when the hook was pulled.

One problem was that departments don't decide who goes to TYC, the judges decide that. It creates an ethical issue for judges to say they are going to determine commitments or not based on this funding issue. It's very disappointing that the legislature has hamstrung all of the probation departments by creating a funding system like this as opposed to replacing IV-E funds.

The Commission could issue an RFP. Probation would work with their local mental health authorities to develop a comprehensive collaborative plan that will reduce commitments and then a specific portion of the population would be designated. The plan would have to show how Medicaid would be leveraged and it would include the entire mental health catchment area as well. If it's a multi-county jurisdiction probation department, it would have to serve all the counties under the umbrella of that department. The plan submitted would have to be researched or evidence-based, and they need to be able to certify that they can implement the program immediately.

By having one or two of these programs out there it will allow the Commission to get a sense out of what are the gaps, what are the services, how are they leveraging, what does it cost to cover the whole area, so we could be better equipped to set that sum certain off the top in the next legislative session. So that's one option.

The other option is "Assessments.com" who provides an entire range of assessment tools. The Commission has an excellent one that was developed by our agency's research division. Assessments.com would incorporate our tool into the array of assessments that they use for various points of contact, gender specific, and an entire gamut of assessment needs. We can buy the license one time and then be able to work with them to provide services, training and skill sets and it's also a case planning tool.

HB3689, the Sunset Bill focused a lot on the issue of assessments and evidence based practices, and the moving toward performance based budgeting, in terms of outcomes determining how you get funded, so for all of those reasons, buying the license for Assessments.com and making it available to every probation department in the state moves us ahead in that direction.

The third option is to be able to take a sum certain off this \$50 million that the Commission received for diversion of kids from TYC under Grant C and then enter into a negotiation with TCOOMMI to provide mental health services to all probation department related youth. It's an easier process and guarantees a higher level of access than what the current complicated process entails.

What was built into the Grant C funding was if a department thought their loss of IV-E funding was going to impact commitments, and they could present their case on paper and demonstrate that case, then an exception could be made for that case. That was the most that could be done given the language of the rider that talks about the use of Title IV-E funds.

The Commission would like the board to approve the mental health RFP and then be able to use the remainder of the funds to negotiate the license with Assessments.com. Work has already been done via Tarrant County and the JCMS Project with this group to work in Assessment.com into the construction of the Juvenile Case Management System (JCMS) so it makes it an easy fit.

The other option is to send an RFP out that for the 30 or so diversions that \$2.2 makes up, we can issue an RFP or just give one to every county on a first come first serve basis, again, the issue is that these funds do not carry over next year, it's a onetime thing.

Mark Williams – Tom Green County Juvenile Probation

*This plan has been ill-conceived from the beginning, and if there's hand cuffs on it, then how can we all of a sudden come up with a new idea and throw it out there? Can we run this idea about assessments by Senator Whitmire? I think when a lot of the legislators see how this money has been spent they're not going to be very happy. It's not a good plan, if it were then more counties would have bought into it. The Texas Juvenile Probation Commission with this board's approval came up with this funding scheme, not the legislature.*

*Vicki mentioned a while ago that there were opportunities for counties that lost IV-E funding to have some kind of plan. This is the first I've heard of that I have not heard about that. We were one of the counties that lost a tremendous amount of IV-E that we were using to divert youth. If that is really on the table, I would like to be able to show that we diverted youth with our IV-E and that we cannot reduce any more commitments when we've been using that IV-E money we lost to reduce commitments.*

*I would like to know who told them that we're not supposed to use the money to supplement what we lost in IV-E, because I don't think that's the truth. I think that's the spin, but I don't think that's the truth.*

*If they really want to divert commitments, they could put it in Level 5 which would work. They did that the last legislative session and that was a good plan. Counties could access the amount of money they needed to divert a kid. That would be a way to do it. They capped Level 5, which means counties are capped at the amount they could spend. The other way would be to reimburse those counties, if you don't want to call it IV-E, don't call it IV-E.*

Level 5 is secure residential placement that these kids may or may not need. And the goal wasn't to just lock kids up, the goal was to provide enhanced community based services wherever possible so that's the reason it didn't go into Level 5.

At the end of June, the Commission hosted the Post-Legislative Conference. At the end of that first day there was a meeting with only Chief Juvenile Probation Officers (CJPO's) to talk about this funding formula. There were a lot of questions on that day but no proposals were brought forth at that time.

On a different grant a lot of questions came up so the Commission stopped the process, had the departments break into groups to talk about solutions, a solution was proposed and the methodology was changed on the spot for administering that grant.

An email was sent to all departments months ago allowing departments to plead a IV-E exception based on their funding. They couldn't get additional funding, whatever their target was and whatever range they fell in is what they had, but in order to be able to use the funds to offset a Title IV-E loss is what that email addressed.

The Commission's number one priority during the last legislative session was the replacement of the lost Title IV-E funds. We were not successful. We received funding to divert commitments. This plan was presented to the leadership that was most involved with the pilot discussion so it was Senator Whitmire, Senator Hinojosa, and Representative Madden, some of the pilot counties were all in the room when the basis of this formula was laid out. The rider hadn't been written because the funds hadn't been appropriated. Senator Whitmire asked them if they could buy into this concept, and they said as long as the state doesn't micromanage us we can live with this. So they had seen the plan.

*Estela Medina – Travis County Juvenile Probation*

*The Commission has presented some very good recommendations this morning and obviously mental health is an area that is very important to all of us, and I am sure there will be a response to the RFP, but there are other ideas where counties are using programs to effectively reduce their commitments to TYC. We understand timeliness is important and we certainly share that interest but this is an opportunity for the Advisory Council to assist in this decision and other ideas regarding the use of these funds.*

*The Advisory Council is scheduled to meet January 6<sup>th</sup> and visit the Grant C formula, work with the Commission, work with the field, and present some recommendations. If we had to at least meet before your next board meeting and make some recommendations at that time, or before then, we could work with the Commission to accomplish that.*

*We would like an opportunity to look at what is out there and make a plan and part of the recommendations would be to present what has already been presented by the Commission staff, because again, mental health is a very high priority for all of us. Comments made by my colleague earlier was an invitation to look at what else other jurisdictions do to address specific needs they may have.*

Once it is decided on how to spend the money and once counties begin to submit their requests, the Commission has to act on a contract and approve it. The money must be spent by August 31<sup>st</sup>. That doesn't mean the money is in the bank. So not only does the RFP have to be submitted, approved, contracts drawn, the program has to be in place so that we can sign the checks.

There may be a possibility to do both, to approve the recommendation made by staff today, to move forward with the RFP and also have an addendum to that and have staff get with the Advisory Committee before the next meeting in January and if a better solutions are found at that point in time we could address those but we have already moved forward with the RFP process, staff has had time to review it, and we don't lose time.

The only issue with that is the close turn around on the RFP's. Staff should not have to read RFP's and then turn around and go someplace else. If we say we're going to do the RFP's and whatever gets funding out of that and potentially not do Assessments.com, but do something different with that amount of money then that's workable.

The one-time license for Assessments.com would cost about \$1.5 million and would take us to the future. It builds in consulting, training, technical assistance and the automation of all of these assessment instruments that are validated on the juvenile justice population. It plugs in at various points in the system and gives the probation officer information they need to build strong case plans. It tracks what's going on with the juvenile.

Tarrant County is using that model, it provides an excellent report for the judges in making decisions in cases, it gives them an evidence-based risk assessment so making those decisions they have a better idea of what the risk is of this juvenile to re-offend in the community based on this instrument. It also helps hone in on what services are best for each particular juvenile, so that we're not wasting inappropriate services and we can make better use of our funding and programs as far as serving the juveniles in the community. It's something we need in juvenile justice.

Jane King – Randall County Juvenile Probation

*I won't go into the history, I believe the truth is in the middle, but I will say that I think Assessments.com is a great instrument, I've looked at it. The resources are the problems. I will ask you to consider part of this \$2.28 million to go into placement for felony offenders and I do believe it is directly proportioned to what will be committed to TYC.*

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Lopez to approve the recommendation of staff regarding the funding adjustments for the \$2.28 million from Grant C. Motion passed with 5 votes for and Commissioner O'Grady voting against.

**8. Update on the Changes made to the Special Needs Diversionary Program Contract Requirements – L. Brooke**

The Special Needs Diversionary Program (SNDP) is a special program for youth with mental illness. There are joint case loads with the juvenile probation officers and their counterparts with the mental health authority. They work together with youth who are identified as having a mental health need and provide services to those youth and their families in the community. It's a unique program with 19 sites in the state that it funds.

Due to the required 3-5 contacts in the home with the youth and family every week for the 4-6 months they are in the program, it was wearing out probation officers and probably the family somewhat too. They were having a high number of contacts and then moving them on to another case load. This made for a rocky transition and the plan was to remove some of those barriers.

The folks who are working those caseloads with those families and their mental health counterparts need to be deciding how many contacts this family needs based on the family's needs and not on what the Commission dictates in the contract. The new requirement is one in-home contact every week for the first 30 days and then after that there are subsequent contacts but primarily the local probation officers and mental health folks will be deciding the need for the number of contacts.

Another change was to allow them to begin serving youth who are transitioning out of a residential facility. If they believe the youth are appropriately served on a SNDP caseload coming out of a facility then they can make that choice.

In the past the contract required that if a youth had been on a SNDP caseload previously, they had to wait until there was a new referral to the department. If the youth was deteriorating and might benefit to being put back on the caseload now, if that child is appropriate, they don't have to wait. They can move them back on there.

With all of these changes we think it allows the counties to better handle the caseloads, it takes some of the stressors off of them, they make the decisions on the contacts and we're going to monitor this closely to see how these changes impact the success of the program and we will come back if we need to make changes.

November 1<sup>st</sup> the Commission brought in the directors from the different sites that participate in this program for a meeting and the comments have been nothing but positive.

No action was required for this item.

**9. Update on Allegations of Abuse, Neglect and Exploitation for Fiscal Years 2009 and 2010 to Date – S. Friedman**

The majority of the board packet represents the Abuse, Neglect and Exploitation (ANE) statistics as well as statistics on serious incidents which are also reported to the Commission and reviewed by our investigations unit. The fiscal year 2009 ended August 31, 2009 and there were a total of 687 allegations reported to the Commission. In contrast to the previous year, the number in 2008 was 793, so we've dropped about 13% in reported allegations.

There were 1,114 serious incidents in fiscal year 2009 which were down by 15 total serious incidents from fiscal year 2008 and so there was about a 1% drop. In September of this year a direct reporting requirement was put in place so you can see a sharp rise in the number of calls for September and October. A large number of calls that have come in since September have not met the definition of abuse and neglect. It may not be specific to abuse and neglect or exploitation but there may be another serious allegation that's not within the purview of the Commission's investigation.

No action was required for this item.

**10. TJPC Advisory Council Update – E. Medina**

Estela Medina, Chief Juvenile Probation Officer (CJPO) with Travis County introduced other members of the Advisory Council who included CJPO Jane King from Randall County, Doug Vance in Brazos County, CJPO Homer Flores from Corpus Christi in Nueces County, CJPO Ron Quiros in Guadalupe County and CJPO Melissa Weiss from Austin County.

The Advisory Council on Juvenile Services is a statutorily created group that serves in an advisory capacity. Appointments are made by the Commission and this council goes back many years serving the field, the Commission and the board.

Currently the council includes 12 chief juvenile probation officers who are representative of the state coming from 7 different regions and includes small, medium and large counties. There is also a district judge from Beaumont. Three additional appointments to the Council are from the Texas Education Agency (TEA), The Texas Youth Commission (TYC) and the Department of Family and Protective Services (TDFPS).

The most recent meeting was held in October in San Antonio and the Council is structured in the following committees: Executive Committee; Standards; Funding; By-Laws; Legislative and Research.

Doug Vance presented the goals and priorities for fiscal years 2009-2010. This will be a collaborative effort in the spirit of partnership to where when we come up with recommendations and we'll try to include everybody's input that we can to help the Commission make good recommendations to the board.

The Advisory Council is scheduled for a January meeting and will be having ongoing committee meetings and discussions. Also there is Commission staff involved with each of the committees. We look forward to the opportunity to provide further updates as the board meets as well.

The interest of the council is to be able to represent the views of the field and to have those communicated back to the board, but we also share the interest to have the board's mandates and directives passed back to the field as well. So the hope is to do all of our work in the spirit of partnership and collaboration but it's really open meetings. At some point when we have to go public with those views our interest is not to have cross purposes but is to help facilitate.

It's a great idea to have a legislative committee and whoever chairs that committee for the Advisory Council would, on behalf of that council and others meet with the legislative committee of the board as a subcommittee just like we do with the variance committee or the budget committee prior the board meetings. We can create that committee today as we staff the other committees.

No action was required for this item.

**11. Discussion and Possible Approval of a Memorandum of Understanding Between the Texas Juvenile Probation Commission and Texas Commission on Law Enforcement Officer Standards Regarding Firearms Training for Juvenile Probation Officers for Final Publication in the Texas Register – S. Friedman**

This is an action item that will require the board's approval to adopt a memorandum of understanding (MOU) between the Texas Commission on Law Enforcement Officer Standards (TCLEOSE) and the Texas Juvenile Probation Commission. This MOU emanates directly out of recent legislation, specifically senate bill 1237 effective September 1<sup>st</sup> that authorized juvenile probations officers to carry a firearm in the commission of their duties for protection purposes.

The MOU is very straight forward and is largely drafted from a template that we were provided by TCLEOSE and the Community Justice Assistance Division (CJAD) of the Texas Department of Criminal Justice (TDCJ). Some modifications were made specific to our legislation and specific to the juvenile justice field. You will see the most interesting is section 5 on the second page and that is the Commission's specific role in this MOU.

The majority of the work and oversight of this process is TCLEOSE's as far as administering a certificate to the officers that choose to carry a side arm and their proficiency and training curriculum is largely going to be administered through TCLEOSE. We have had numerous contacts with TCLEOSE and the chiefs respectively in Fort Bend County, Wichita County and the 36<sup>th</sup> Judicial District who have all participated directly with the Commission's staff in work groups for developing the structure of this MOU and are also starting to develop the curriculum that will ensue and will be required for probation officers to carry a gun.

What TCLEOSE has suggested is in subsection 6 and that is specific to the psychological evaluation and the criminal histories. We articulated those more significantly in this MOU.

A **motion** was made by Commissioner Shults and **seconded** by Commissioner O'Grady to approve the memorandum of understanding between the Texas Juvenile Probation Commission and Texas Commission of Law Enforcement Officer Standards for final publication in the Texas Register. Motion passed unanimously.

**12. Discussion and Possible Approval of Chapter 345 Related to Code of Ethics for Initial Publication in the Texas Register – D. Halstead**

We are requesting that Chapter 345 which is the officer's code of ethics be approved for posting to the Texas Register for public comment. Our former code of ethics are found in Chapters 341 which addresses juvenile probation officers, and Chapter 343 which addresses juvenile detention officers in issues related to employment eligibility. The code of ethics for juvenile probation and supervision officers which is the former juvenile detention officers, are now being combined into one new chapter which more comprehensively addresses the ethics issues that may arise.

Subsection A deals with definitions and applicability, subsection B addresses policy and procedure, and subsection C deals with the actual code of ethics. The code of conduct is being left to individual departments.

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner O'Grady to approve Chapter 345 for initial publication in the Texas Register. Motion passed unanimously.

**13. Discussion and Possible Approval of the Electronic Data Interchange Specification Changes for Initial Publication in the Texas Register – N. Arrigona**

The Electronic Data Interchange (EDI) specifications are those data elements that are reported monthly to the Commission. They are in statute and all departments are required to submit data in this format every month. The Commission revises those standards as necessary in order to capture data to address new statutory requirements or to collect information that we know is very important to the field and to be able to provide services and information both to the legislature and to the field.

Requested changes to the EDI will allow the Commission to collect information we are now mandated to report legislatively based on changes in the last legislative session. Without these changes departments would still be able to report to the Commission, but this way the Commission is able to get that information in a consistent format and be able to take advantage of the submission process that is already in place.

The approval of these proposed changes today will allow the Commission to post the proposed changes to the Texas Register for public comment, which is the initial posting.

A **motion** was made by Commissioner Lopez and **seconded** by Commissioner Boyd to approve the EDI specification changes for initial publication to the Texas Register. Motion passed unanimously.

**14. Discussion and Possible Approval of the Texas Juvenile Probation Commission/Texas Youth Commission Coordinated Strategic Plan for Fiscal Year 2010 – V. Tolbert**

I am pleased to present and seek your approval of the coordinated strategic plan. The biennial operating plan for TJPC and TYC, this is the eighth such version of this plan. This was the most comprehensive, perhaps in some cases the most arduous and the most significant coordinated strategic plan that has been embarked on.

The members of this joint planning team are Lori Person and Christine McCormick from TYC and Linda Brooke and Erin Espinosa from TJPC. Senate Bill 3689 that was passed in the previous legislative session added some additional requirements to the coordinated strategic plan. One of which is the oversight and direction of an Executive Strategic Planning Committee that was co-chaired and co-presided by the respective executive directors of TJPC and TYC.

The Sunset Bill 3689 required specific representation on this Strategic Planning Committee, on the inside of the plan you can see the membership which included reps from juvenile probation departments, people who represent the mental health profession, educators and people who could represent the interest of juvenile offenders as well as victims.

The Executive Strategic Planning Committee met twice and went through a text book classic case of strategic planning where we looked at all of the challenges environmentally all of the opportunities and all of the inherent issues confronting the juvenile justice system for the next planning horizon. We crafted key strategic issues, consensus was built around those key strategic issues and of course the ultimate deliverable for this coordinated plan, strategies which represented what TJPC and TYC will be doing for the next 2-5 years to meet the mandates.

In terms of the mandates and the meat of this coordinated strategic plan, everything was rolled up into 3 goals which included 8 key strategic issues and 23 strategies to manage those key strategic issues for the next 2-5 years. Some of the highlights would be where we're going to look at defining and sharing existing best practices because we want to maximize the effectiveness and the efficiency of the services that are provided given that we're going to have scarce resources.

Given the demographic changes that are occurring and given the scarcity of resources, we knew we had to try and squeeze as much efficiency out of the system, that is why you find among the strategies quite a number of strategies that are going to require TJPC and TYC to collaborate across our two systems to maximize our effectiveness over time.

Another key strategic issue is we are going to jointly pursue opportunities for increasing the availability of licensed professionals to serve our youth. There has been a shortage of mental health and other treatment professionals who are adequately equipped to provide evidence based practices to maximize the kind of outcomes we want given that more and more kids are remaining in the community with multiple problems who are misdemeanor youth and often times tend to have higher needs and exhibit more chronic behaviors, especially regarding mental health and being further behind in school. That translates into needing more intensive services in the community.

Finding those kinds of professionals who are adequately equipped to serve these kids has been a conundrum for the juvenile justice system, and that is one of the systemic things we hope to have an impact on in working with universities and working with professional organizations such as the American Psychological Associations, the Social Workers, etc.

Transition services have become a huge issue that the Commission has been working on for some time trying to address the issue of how can we empower kids to be able to sustain socially acceptable behavior when they return to the community. That's very important in trying to reduce recidivism over time because if we don't give them the necessary skills, then we've diminished the extent of which they can be successful in the community.

One of the workgroups was charged with looking at how we can use evidence based practices and pull together as many resources to serve our children in our common populations but of course, TYC is confronted with the same issue, in that they don't have enough funding within their infrastructure to provide the kind of treatment services they need to provide for their kids.



In some community mental health centers there are good working relationships with local probation and TYC parole and in some communities that is not the case. In essence, the juvenile justice system has been confronted with trying to grow its own community mental health services. Those services weren't readily apparent in the community for our populations. That takes mental health professionals and those cost money.

TYC has finished their board meeting and their board has approved their coordinated plan.

A **motion** was made by Commissioner West and **seconded** by Commissioner Boyd to approve the TJPC/TYC Coordinated Strategic Plan for fiscal year 2010. Motion passed unanimously.

**15. Update on Harris County Leadership Academy – K. Branch**

*Note: Commissioner O'Grady was excused to leave just after the last agenda item.*

The Assistant Deputy Director, Keith Branch presented this update on what was once called the Harris County Boot Camp and is now the Harris County Leadership Academy. The performance measures for the boot camp will remain in place for the Leadership Academy during the grant period of 9/1/08 – 8/31/09.

325 youth were admitted and for that same period was 344 youth were released. 76% of the youth exited successfully from the program. 23% of the youth were released for behavioral reasons. 50.4% of the youth had no referrals within one year and 49.6% were re-referred. 8.5% were re-referred for lesser offenses whereas 20.8% were for equal or greater offenses and 20.3% were re-referred for a technical violation of probation. 32% were re-referred and re-adjudicated.

Other items tracked that were not part of the performance measures include:

58% of juveniles during the dates listed above were 16 years old or older

For the same juveniles, 42.2% were black, 45.1% were Hispanic, 10.8% were white, 2% were other races

The average length of stay was 100.5 days

4 of the last 5 years the Delta Boot Camp received acceptable ratings from the Texas Education Agency

Recently, 4 of 10 students passed all parts of the GED the first time they took the test

The boot camp concept has been changed to an intensive, cognitive, evidence based 'Colors Program'

The population has been reduced from 144 to 96 juvenile residents

No action was required for this item.

**16. Update on Mental Health/Juvenile Justice Action Network – E. Espinosa**

The Models for Change Initiative is a comprehensive systems change initiative supported by the John D. and Catherine T. MacArthur Foundation. Originally created to target 4 key states, Pennsylvania, Illinois, Louisiana and Washington, those 4 states started to work on reforming their entire juvenile justice system one of the things they became aware of was that mental health issues within their systems were drastically significant.

The MacArthur Foundation and the National Center for Mental Health and Juvenile Justice created an initiative called the Mental Health and Juvenile Justice Action Network (MHJJAN). In August, 2007 the Commission applied to be a part of that network and Texas was selected to join the original 4 states in addition to Connecticut, Colorado and Ohio.

The 3 main areas that all 8 states have been focusing on is primarily regarding diversion or what we call in Texas 'Front End Diversion Initiative' (FEDI). Texas targeted juvenile probation and basically wanted to create specialized juvenile probation officers that work with kids on their deferred prosecution to divert them from adjudication. It's been highly successful. Our implementation sites were Bexar, Travis, Dallas and Lubbock Counties. And we are looking to expand to Harris County in February.

Next year the main focus will be to do an in depth evaluation to see if it worked and if so, how did it work best and how did it impact. The second form of work is what they call workforce development. That curriculum is a mental health training package for juvenile probation and juvenile corrections and we hope to add a module for mental health practitioners on how to engage and work with kids and families that have severe mental health issues. The pilot testing of that curriculum was targeted in Dallas County last December and will be field tested in Bexar County this summer on corrections, supervision, parole and probation staff. We hope to roll that curriculum out statewide starting in January of 2010.

The last broad effort that we're focusing on across all 8 states is family and youth engagement. And that's the second primary piece of work for this next year. We're going to be taking existing family engagement curriculum that may be developed by NAMI or Mental Health America and other organizations, and review each

of those pieces of curriculum and collaboration with the Texas Youth Commission, adopt those and then hopefully create a training for trainer module that will actually allow us to go and train juvenile probation, supervision and juvenile corrections officers on not only the why and how, but the need to engage family and youth in service delivery.

No action was required for this item.

#### **17. Overview of the Commission's Webinar Training Program – A. Welebob**

This "Go To Meeting Webinar" is a web conferencing tool that allows us the opportunity to host up to 1,000 participants per event. By utilizing this technology it provides the Commission the ability to disseminate information quickly and provide training at little or no cost to juvenile probation departments.

The responses received have been overwhelmingly positive, officers who traditionally do not receive training directly from the Commission can now do so without leaving their desks and also upon completion they can immediately return back to their job responsibilities without worrying about travel.

Once there is a training need identified we post it on our website and open it up for registration. Everything works with Microsoft Outlook. We engage the participants with poll questions, and the post-training allows us as presenters to receive feedback. We get individual performance reports as far as what types of questions were asked and how the response to the poll questions were to ensure some type of learning occurred.

Trainings conducted began in the fall of 2008 and have been ongoing since then. Currently there are 5 licensed individuals at the Commission who conduct training events.

Another project the Training Division is currently working is E-Learning or a software package called "Articulate". With this we now have the ability to create interactive web-based training. We are targeting the Juvenile Probation Officer (JPO) and the Juvenile Supervision Officer (JSO) basic topics and hope to have those online sometime early this spring. Again, this allows officers to interact with training without accumulating any travel costs and the possibilities are endless.

No action was required for this item.

#### **18. Executive Director's Report – V. Spriggs – Introduction of New Staff – Agency Activity Update**

Five new employees were introduced: Ameli Pena with the Field Services Division; Brandon Rust with Fiscal Services, Nita Reddy in the MIS Unit; Courtney Norris with Research and Statistics and Monica Peters also with the Research Unit.

The Interim House charges were released yesterday. The House Committee on Corrections is the primary committee that the Commission will be accountable to. The ones that will primarily deal with the Commission are:

- a) Examine implementation of the diversion pilot programs, juvenile case management system, and other policy and finding initiatives to determine whether the Texas Juvenile Probation Commission and Texas Youth Commission are adhering to legislative directive in implementing these programs.
- b) Review the range of services provided to females in the juvenile and adult criminal justice systems and recommend changes to ensure responsiveness to gender-specific issues.

The House Committee on Appropriations will be working with the House Committee on Corrections on the charge of examining the implementation of the diversion pilot programs or in other words the implementation of Grant C funds.

The Commission is under Sunset Review again for this next biennium. They had their first meeting on Wednesday of this week and in October and November they will start meeting with the Commission to determine whether or not we're meeting the mandates laid out in House Bill 3689, the Sunset Bill. Anything can change during the course of the process but that is the plan right now. They'll issue a report in December, with recommendations and public testimony, and then make final decisions on January 12, 2011 much like the schedule last year.

The Juvenile Case Management System (JCMS) is on track and moving according to plan. Right now Tarrant County is the test site with Bexar County and Travis County to follow. We are looking at a state roll out at sometime during April.

The Peavy Switch facility is working with the local mental health authority in deep East Texas called the Burke Center to establish a residential facility for juvenile probationers with low to moderate mental health needs. We're already working with the Texas Education Agency (TEA) to secure a charter to be operated by the Burke Center in Lufkin that will provide education onsite. Linda Brooke is spearheading that initiative and this project is on track as well.

The Joint Strategic Plan is completed and will be sent out to leadership in time to meet the deadline of December 1<sup>st</sup>. The TCLEOSE agreement needed to be secured by January 1<sup>st</sup> and that is also on track.

The Sunset Bill is requiring that the Commission put its funding formulas in rule. That came about because of input they received. The Commission must have something before you in March to be able to have the 3 required postings to publish by September 1, 2010, when they need to be in rule. The first Community Based Probation Funding Formulas Conference will be January 6<sup>th</sup> and 7<sup>th</sup> here in Austin where we'll be looking at state aid, community corrections and Grant C which the Advisory Council is already working on.

The Advisory Council will make their own presentation at this conference and solicit other input at the conference related to Grant C, and we will be taking input and establishing workgroups on state aid and community corrections.

The Commission is looking to see what the cost is to provide basic probation services in Texas. Then we can factor that formula into the overall funding formulas as well, so that we make sure everybody has at least what it takes to operate. And then it might be performance-driven above that, we don't know where it's going to go.

Cherie Townsend, the Executive Director at Texas Youth Commission (TYC) was scheduled to give an update on where the Youth Commission is in terms of its progress and reform, but their board meeting was also today so she was unable to be here. She will be invited to a subsequent board meeting or perhaps, since it looks like they meet at the same time we meet, we might set it up so that at the next board meeting we might complete our business, and then as they break from theirs we have a joint board meeting. We might do that at least once or twice during the course of the year.

The Chief Juvenile Probation Officers and the probation staff across the state are some of the hardest working most dedicated folks you're going to meet. Their job is thankless on a lot of levels. The array of problems that these young people come in with are so vast and complicated and somewhere down the list is their juvenile justice behavior that I just want to acknowledge that when we agree and when we agree to disagree and when we disagree to disagree, we're all still fighting for the same cause out here, and they are very dedicated and very committed people.

No action was required for this item.

## **19. Board Committee Assignments – R. West**

The assignments for board committees are as follows:

### *Vice-Chair of Board*

- 1) Jean Boyd, Vice-Chair

### *Budget Committee*

- 1) Will Conley, Chair
- 2) Ray West
- 3) Bob Shults
- 4) Rene Ordoñez

### *Program and Planning Committee*

- 1) Scott O'Grady, Chair
- 2) Lea Wright

- 3) Billy McClendon

*Variance Committee*

- 1) Jean Boyd, Chair
- 2) Migdalia Lopez
- 3) Rene Ordoñez
- 4) Bob Shults

*Executive Director Evaluation Committee*

- 1) Ray West, Chair
- 2) Jean Boyd
- 3) Scott O'Grady

*Internal Review Committee*

- 1) Rene Ordoñez, Chair
- 2) Billy McClendon
- 3) Jean Boyd
- 4) Ray West

*Legislative Committee*

- 1) Bob Shults, Chair
- 2) Will Conley
- 3) Rene Ordoñez

A **motion** was made by Commissioner West and **seconded** by Commissioner Conley to accept the committee assignments as presented. Motion passed unanimously.

**20. Public Comments – R. West**

There were no other public comments and no action was required.

**21. Adjourn – R. West**

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Lopez to adjourn. Motion passed unanimously. The meeting adjourned at 12:48 p.m. The next board meeting will be January 15, 2010.